



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Joseph Horwedel

**SUBJECT: ALTERNATIVE CODE
ENFORCEMENT STRATEGY**

DATE: May 18, 2006

Approved

/s/

Date

05/23/06

This memorandum is prepared in response to the Mayor's March 2006 Budget Message to report back to Council on how the Code Enforcement Division's alternative enforcement strategy impacts neighborhoods.

To respond to increasing requests for service with diminishing staff resources, the Code Enforcement Division developed alternative enforcement techniques that reduced field response for non-health/safety complaints to ensure the division would be able to continue to meet its 24-48 hour response commitment to immediate health/safety complaints. This change was outlined in the 2005-2006 Adopted Operating Budget. The alternative enforcement strategy called for a warning letter to be mailed to the alleged violator instead of having an Inspector respond to investigate. This alternative strategy was developed in response to a 57% reduction in General Fund inspection staff since 2000-2001 and to ensure compliance with State Law as designated Health Officers responsible for addressing substandard housing conditions. It should be further noted that over 90% of the Code Enforcement Division's current inspection staff is supported by special funding sources that are either restricted by geography or activity. General Fund, non-fee supported, inspection staff is unrestricted and able to provide city-wide response for all violation types.

Prior to the implementation of this strategy, however, Code Enforcement was able to create efficiencies through process streamlining without impacting the response to minor, yet quality of life issues that San José residents are concerned about. In fact, a new service model has recently been implemented to improve responsiveness in this area.

This new service delivery model applies to minor blight issues that are subject to the administrative citation enforcement tool. These issues include improper placement of garbage containers and early yard waste set out, illegal signage, inadequate landscaping, inoperable vehicles on private property, unpaved parking, and trash accumulations and material storage in the front yard.

Under this new service model, when a request for service is received, a warning letter will be mailed to the alleged violator within one working day. This change represents a 75% improvement in the response time to initial complaints over previous procedures. Ten days after the warning letter is mailed, a Code Enforcement Inspector will perform a site inspection. If the violation is confirmed to exist, the responsible party may be issued an administrative citation.

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This process is projected to result in a 62% improvement in the cycle time between receipt of a complaint and a field inspection for minor blight issues. Code Enforcement's response should be more visible to those requesting service and result in improved neighborhood conditions.

Resident complaints involving violations of Building and Zoning Codes, which are not subject to the Administrative Citation enforcement tool, will continue to be addressed with warning letters. The application of inspection services for these cases is based upon the priority of the case and the availability of field inspection resources. These types of complaints do not have the same visibility in neighborhoods as do violations of the Community Preservation Ordinance.

This new strategy, along with the filling of Inspector vacancies, has allowed the program to improve performance. Overall, in 2005-2006 the percentage of violations resolved within processing standards is estimated to be 65%. In 2004-2005, only 58% were resolved. For 2006-2007, the target has been revised upwards to 65%.

/s/

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